

PATENT
microm19.d10IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of : Confirmation No. 2638
Hubert EUVRARD, ET AL. : Group Art Unit 3732
Application No. 10/542,451 : Examiner: Yogesh P. Patel
Filing Date: July 15, 2005 : (571) 270-3646
For a Patent for an :
IMPROVEMENT TO DENTAL POWER :
INSTRUMENTS, SUCH AS :
ENDODONTIC INSTRUMENTS,
AND CONTRA-ANGLE HANDPIECE : April 23, 2009

INFORMATION DISCLOSURE STATEMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement accompanies a "Request for Continued Examination (RCE) Transmittal" and an "Amendment Pursuant to 37 C.F.R. §1.114" which are being submitted in connection with the above-referenced U.S. Patent Application.

The Office Action of December 23, 2008, cites a U.S. Patent, No. 5,647,745, which is commonly owned with the present U.S. Patent Application. For reasons given in the accompanying

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"Amendment Pursuant to 37 C.F.R. §1.114", the claims pending in the present U.S. Patent Application are considered to patentably distinguish the subject matter of U.S. Patent No. 5,647,745. However, because the Examiner has taken the position that the subject matter of U.S. Patent No. 5,647,745 is material to the examination of the present U.S. Patent Application, this Information Disclosure Statement is being filed to advise the U.S. Patent Office of information which may also be considered "material to patentability" in examining this patent application, pursuant to the provisions of 37 C.F.R. §1.56.

In particular, the following documents are brought to the attention of the U.S. Patent Office because they were cited in connection with U.S. Patent No. 5,647,745.

The following documents are listed at [56] "References Cited" on the title page of U.S. Patent No. 5,647,745.

U.S. Patents

5,308,242 (McLaughlin et al.) - Issued: May 3, 1994
5,252,067 (Kakimoto) - Issued: October 12, 1993
5,209,658 (Brahler) - Issued: May 11, 1993
5,160,263 (Meller et al.) - Issued: November 3, 1992
5,156,547 (Bailey) - Issued: October 20, 1992
5,028,233 (Witherby) - Issued: July 2, 1991
4,874,314 (Fleer et al.) - Issued: October 17, 1989
4,711,630 (Dürr) - Issued: December 8, 1987

4,406,470 (Kataoka et al.) - Issued: September 27, 1983
3,955,284 (Balson) - Issued: May 11, 1976
3,381,378 (Lawrence et al.) - Issued: May 7, 1968
3,098,299 (Page) - Issued: July 23, 1963
3,070,381 (Saffir) - Issued: December 25, 1962

The following documents are identified in the specification of U.S. Patent No. 5,647,745.

U.S. Patents

5,020,994 (Huang) - Issued: June 4, 1991
5,007,832 (Meller et al.) - Issued: April 16, 1991

Foreign Document

FR 2,618,357 (Micro Mega, S.A.) -
- Published: January 27, 1989

A copy of FR 2,618,357 has been enclosed with this Information Disclosure Statement. Copies of the U.S. patent documents have not been enclosed with this Information Disclosure Statement in view of the elimination of this requirement from 37 C.F.R. §1.98(a)(2) (See, Section 609.04(a), Part II(D) of the Manual of Patent Examining Procedure).

To provide a concise explanation of the relevance of the non-English language document, FR 2,618,357 is cited in the

"Background of the Invention" of U.S. Patent No. 5,647,745, and discloses an apparatus for cleaning dental handpieces.

Due consideration of the foregoing documents is respectfully requested under 37 C.F.R. §1.56(a)(2). It is further respectfully requested that the Examiner acknowledge consideration of the above-listed documents by initialing the PTO-1449 form (1) which is enclosed with this Information Disclosure Statement and which lists the foregoing documents, and provide applicants with an initialed copy of the enclosed PTO-1449 form to confirm consideration of the listed documents.

Because this Information Disclosure Statement is submitted with a "Request for Continued Examination (RCE) Transmittal" under the provisions of 37 C.F.R. §1.114, no fee is believed to be necessary for the filing of this Information Disclosure Statement. In the event that a fee is required in connection with the filing of this Information Disclosure Statement, any necessary fees can be charged to Deposit Account No. 03-2405.

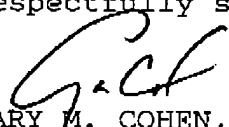
Corresponding action is earnestly solicited.

Respectfully submitted,

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8300) on: April 23, 2009.

Date: 4/23/09


Gary M. Cohen, Esq.


GARY M. COHEN, ESQ.
Reg. No. 28,834
Attorney for Applicants
Tel.: (610) 975-4430